

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,
INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY
LITIGATION

Case No. 2:18-md-2846

Judge Edmund A. Sargus, Jr.
Magistrate Judge Kimberly A. Jolson

This document relates to:
Lee v. C.R. Bard, Inc. et al.
Case No. 2:21-cv-222

ORDER

This matter is before the Court on Defendants' Motion to Dismiss for Failure to Substitute (ECF No. 10). On November 8, 2022, the Court granted Defendants' motion to compel Plaintiff to submit a Plaintiff Profile Form. (ECF No. 5.) On November 9, 2022, Plaintiff's counsel filed a suggestion of death and a motion to substitute the deceased Plaintiff. (ECF Nos. 6, 7.) The Court contacted Plaintiff's counsel twice asking that he correct deficiencies in the motion, but no correction was filed. On December 12, 2022, the Court denied Plaintiff's motion to substitute. (ECF No. 9.) Defendants now move to dismiss for Plaintiff's failure to timely file a motion to substitute. (ECF No. 10.) Plaintiff did not file a response, and the Court will therefore treat the motion as unopposed. Accordingly, Defendants' motion (ECF No. 10) is **GRANTED** and this case is **DISMISSED**.

IT IS SO ORDERED.

7/6/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE